

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

Chapter 7

RESORT OF PALM BEACH, LLC,

Case No. 06-10798 (KG)

Debtor.

**APPELLANT'S DESIGNATION OF RECORD
AND STATEMENT OF ISSUES ON APPEAL**

Resort of Palm Beach, LLC (the "Appellant"), the above-captioned debtor, by and through its undersigned counsel, designates the record on appeal to include the following:

A. **Docket Entries**

1. The Court's Docket Report for In re Resort of Palm Beach, LLC, Case No. 06-10798.
2. Motion of the United States Trustee to Convert Chapter 11 Case to a Case Under Chapter 7, or in the Alternative to Dismiss Case (Filed February 22, 2007, D.I. 324).
3. Notice of Hearing on Motion to Dismiss or Alternatively Convert Case (Filed February 23, 2007, D.I. 328).
4. Notice of Hearing on the United States Trustee's Motion for Entry of an Order Either Converting or Dismissing the Chapter 11 Case (Filed March 2, 2007, D.I. 345).
5. Notice of Hearing on Motion to Dismiss or Alternatively Convert (Filed March 6, 2007, D.I. 350).
6. Response to United States Trustee's Motion for Entry of an Order Either Converting or Dismissing the Chapter 11 Case filed by Resort of Palm Beach, LLC (Filed March 7, 2007, D.I. 355).

7. Transcript of Hearing Held on March 8, 2007 at 9:30 a.m. (ET).
8. Order Granting Motion to Convert Chapter 11 Case to Chapter 7 (Filed March 8, 2007, D.I. 359).
9. Certificate of Service of Order Granting Motion to Convert Chapter 11 Case to Chapter 7 (Filed March 9, 2007, D.I. 362).
10. Appointment of Trustee filed by the United States Trustee (Filed March 9, 2007, D.I. 363).
11. Notice of Appeal of Order Converting Chapter 11 Case (Filed March 19, 2007, D.I. 377).
12. Receipt of Filing Fee for Notice of Appeal (Filed March 19, 2007, D.I. 378).
13. Clerk's Notice Regarding Filing of Appeal (Filed March 20, 2007, D.I. 379).

Statement Of Issues On Appeal

Appellant, by and through its undersigned counsel, designates the issues on appeal to include the following:

1. Whether the Court erred in granting the Motion of the United States Trustee to Convert Chapter 11 Case to a Case Under Chapter 7, or in the Alternative to Dismiss.
2. Whether the Court abused its discretion in converting the Debtor's Chapter 11 case to a case under Chapter 7 pursuant to 11 U.S.C. § 1112(b) without considering whether or not conversion or dismissal was in the best interests of creditors.
3. Whether the Court erred in considering the Motion of the United States Trustee without adequate notice to creditors and parties-in-interest.

Dated: March 29, 2007
Wilmington, DE

Respectfully submitted,



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